

# **EXHIBIT A**



**Universal Service Administrative Company**  
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER  
(Funding Year 2008: 07/01/2008 - 06/30/2009)

September 15, 2010

Matthew Hetman  
CHARLOTTE COUNTY SCHOOL DIST  
PO Box 242157, eRate Consulting Services  
Montgomery, AL 36124

Re: Form 471 Application Number: 606829  
Billed Entity Number (BEN): 127835  
Billed Entity FCC RN: 0012319117  
Applicant's Form Identifier: 127835-F11A

Thank you for your Funding Year 2008 application for Universal Service Support and for any assistance you provided throughout our review. The current status of the funding request(s) in the Form 471 application cited above and featured in the Funding Commitment Report(s) (Report) at the end of this letter is as follows.

- The amount, \$256,929.38 is "Approved."
- The amount, \$340,610.82 is "Denied."

Please refer to the Report following this letter for specific funding request decisions and explanations. The Universal Service Administrative Company (USAC) is also sending this information to your service provider(s) so preparations can begin for implementing your approved discount(s) after you file FCC Form 486, Receipt of Service Confirmation Form. A guide that provides a definition for each line of the Report is available in the Reference Area of our website.

**NEXT STEPS**

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA requirements
- File Form 486
- Invoice USAC using the Form 474 (service provider) or Form 472 (Billed Entity applicant) - as products and services are being delivered and billed

**TO APPEAL THIS DECISION:**

You have the option of filing an appeal with the SLD or directly with the Federal Communications Commission (FCC).

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - Appellant name,
  - Applicant name and service provider name, if different from appellant,
  - Applicant BEN and Service Provider Identification Number (SPIN),
  - Form 471 Application Number 606829 as assigned by USAC,
  - "Funding Commitment Decision Letter for Funding Year 2008," AND

DUPLICATE LETTER

- The exact text or the decision that you are appealing.
- 3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
- 4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
- 5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org). USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 S. Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

#### NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division  
Universal Service Administrative Company

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHARLOTTE COUNTY SCHOOL DIST  
BEN: 127835  
Funding Year: 2008

Comment on RAL corrections: FRN(s) modified in accordance with a RAL request.

Form 471 Application Number: 606829  
Funding Request Number: 1672189  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 367080000629396  
SPIN: 143001444  
Service Provider Name: CenturyLink-Embarq Florida, Inc. (FKA Embarq)  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 959330  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$47,817.60  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$47,817.60  
Discount Percentage Approved by the USAC: 67%  
Funding Commitment Decision: \$32,037.79 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The shared discount was increased to a level that could be validated based on third party data. <><><><><> MR2: The dollars requested were reduced from \$4000/month to \$3984.80/m to remove costs associated with Head Start students and services for the following entities BAKER ELEMENTARY/HEAD START SCHOOL. In addition, the Block 4 was modified to remove Head Start students from those entities. The reason for Head Start ineligibility is because: (the facility provides service to children below the state's minimum recognized age for Head Start).  
FCDL Date: 09/15/2010  
Wave Number: 80L  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHARLOTTE COUNTY SCHOOL DIST  
BEN: 127835  
Funding Year: 2008

Comment on RAL corrections: FRN(s) modified in accordance with a RAL request.

Form 471 Application Number: 606829  
Funding Request Number: 1672204  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 367080000629396  
SPIN: 143001444  
Service Provider Name: CenturyLink-Embarq Florida, Inc. (FKA Embarq)  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 959330  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$49,013.04  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$49,013.04  
Discount Percentage Approved by the USAC: 67%  
Funding Commitment Decision: \$32,838.74 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The shared discount was increased to a level that could be validated based on third party data. <><><><><> MR2: The dollars requested were reduced \$4100/month to \$4084.42/month to remove costs associated with Head Start students and services for the following entities BAKER ELEMENTARY/HEAD START SCHOOL. In addition, the Block 4 was modified to remove Head Start students from those entities. The reason for Head Start ineligibility is because: (the facility provides service to children below the state's minimum recognized age for Head Start).

FCDL Date: 09/15/2010  
Wave Number: 80L  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHARLOTTE COUNTY SCHOOL DIST  
BEN: 127835  
Funding Year: 2008

Comment on RAL corrections: FRN(s) modified in accordance with a RAL request.

Form 471 Application Number: 606829  
Funding Request Number: 1672213  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 367080000629396  
SPIN: 143000892  
Service Provider Name: Nextel South Corp.  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 959330  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$52,599.36  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$52,599.36  
Discount Percentage Approved by the USAC: 67%  
Funding Commitment Decision: \$35,241.57 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The shared discount was increased to a level that could be validated based on third party data. <><><><><> MR2: The dollars requested were reduced \$4400/month to \$4383.28/month to remove costs associated with Head Start students and services for the following entities BAKER ELEMENTARY/HEAD START SCHOOL. In addition, the Block 4 was modified to remove Head Start students from those entities. The reason for Head Start ineligibility is because: (the facility provides service to children below the state's minimum recognized age for Head Start).

FCDL Date: 09/15/2010

Wave Number: 80L

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHARLOTTE COUNTY SCHOOL DIST  
BEN: 127835  
Funding Year: 2008

Comment on RAL corrections: FRN(s) modified in accordance with a RAL request.

Form 471 Application Number: 606829  
Funding Request Number: 1672221  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 367080000629396  
SPIN: 143004256  
Service Provider Name: Matrix Telecom, Inc.  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 959330  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$4,140.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$4,140.00  
Discount Percentage Approved by the USAC: 67%  
Funding Commitment Decision: \$2,773.80 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The FRN was modified from \$600/month to \$345/month to agree with the applicant documentation. <><><><><> MR2: The shared discount was increased to a level that could be validated based on third party data.

FCDL Date: 09/15/2010  
Wave Number: 80L  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHARLOTTE COUNTY SCHOOL DIST  
BEN: 127835  
Funding Year: 2008

Comment on RAL corrections: FRN(s) modified in accordance with a RAL request.

Form 471 Application Number: 606829  
Funding Request Number: 1672227  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 367080000629396  
SPIN: 143001197  
Service Provider Name: Verizon Business Global LLC  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 959330  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$13,200.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$13,200.00  
Discount Percentage Approved by the USAC: 67%  
Funding Commitment Decision: \$8,844.00 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The shared discount was increased to a level that could be validated based on third party data.

FCDL Date: 09/15/2010

Wave Number: 80L

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011



FUNDING COMMITMENT REPORT  
Billed Entity Name: CHARLOTTE COUNTY SCHOOL DIST  
BEN: 127835  
Funding Year: 2008

Comment on RAL corrections: FRN(s) modified in accordance with a RAL request.

Form 471 Application Number: 606829  
Funding Request Number: 1672245  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 367080000629396  
SPIN: 143001435  
Service Provider Name: Verizon Florida Inc.  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 959330  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$20,322.48  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$20,322.48  
Discount Percentage Approved by the USAC: 67%  
Funding Commitment Decision: \$13,616.06 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The shared discount was increased to a level that could be validated based on third party data. <><><><><> MR2: The dollars requested were reduced \$1700/month to \$1693.54/month to remove costs associated with Head Start students and services for the following entities BAKER ELEMENTARY/HEAD START SCHOOL. In addition, the Block 4 was modified to remove Head Start students from those entities. The reason for Head Start ineligibility is because: (the facility provides service to children below the state's minimum recognized age for Head Start).  
  
FCDL Date: 09/15/2010  
Wave Number: 80L  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHARLOTTE COUNTY SCHOOL DIST  
BEN: 127835  
Funding Year: 2008

Comment on RAL corrections: FRN(s) modified in accordance with a RAL request.

Form 471 Application Number: 606829  
Funding Request Number: 1672259  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 367080000629396  
SPIN: 143001192  
Service Provider Name: AT&T Corp.  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 959330  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$21,517.92  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$21,517.92  
Discount Percentage Approved by the USAC: 67%  
Funding Commitment Decision: \$14,417.01 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The shared discount was increased to a level that could be validated based on third party data. <><><><><> MR2: The dollars requested were reduced \$1800/m to \$1793.16/month to remove costs associated with Head Start students and services for the following entities BAKER ELEMENTARY/HEAD START SCHOOL. In addition, the Block 4 was modified to remove Head Start students from those entities. The reason for Head Start ineligibility is because: (the facility provides service to children below the state's minimum recognized age for Head Start).

FCDL Date: 09/15/2010

Wave Number: 80L

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHARLOTTE COUNTY SCHOOL DIST  
BEN: 127835  
Funding Year: 2008

Comment on RAL corrections: FRN(s) modified in accordance with a RAL request.

Form 471 Application Number: 606829  
Funding Request Number: 1672277  
Funding Status: Funded  
Category of Service: Internet Access  
Form 470 Application Number: 367080000629396  
SPIN: 143001444  
Service Provider Name: CenturyLink-Embarq Florida, Inc. (FKA Embarq)  
Contract Number: N/A  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: N/A  
Contract Award Date: 01/30/2008  
Contract Expiration Date: 06/30/2009  
Shared Worksheet Number: 959330  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$50,435.64  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$50,435.64  
Discount Percentage Approved by the USAC: 67%  
Funding Commitment Decision: \$33,791.88 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The shared discount was increased to a level that could be validated based on third party data. <><><><><> MR2: The dollars requested were reduced \$4219/month to \$4202.97/month to remove costs associated with Head Start students and services for the following entities BAKER ELEMENTARY/HEAD START SCHOOL. In addition, the Block 4 was modified to remove Head Start students from those entities. The reason for Head Start ineligibility is because: (the facility provides service to children below the state's minimum recognized age for Head Start).  
FCDL Date: 09/15/2010  
Wave Number: 80L  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHARLOTTE COUNTY SCHOOL DIST  
BEN: 127835  
Funding Year: 2008

Comment on RAL corrections: FRN(s) modified in accordance with a RAL request.

Form 471 Application Number: 606829  
Funding Request Number: 1672288  
Funding Status: Not Funded  
Category of Service: Internet Access  
Form 470 Application Number: 367080000629396  
SPIN: 143025872  
Service Provider Name: Trillion Partners, Inc  
Contract Number: N/A  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: N/A  
Contract Award Date: 01/22/2008  
Contract Expiration Date: 06/30/2013  
Shared Worksheet Number: 959330  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$508,374.36  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$508,374.36  
Discount Percentage Approved by the USAC: 67%  
Funding Commitment Decision: \$0.00 - Bidding Violation- SRC  
Funding Commitment Decision Explanation: MR1: FRN modified in accordance with a RAL request. <><><><><> MR2: The shared discount was increased to a level that could be validated based on third party data. <><><><><> MR3: The dollars requested were reduced from \$42526.13/month to \$42364.53/month to remove costs associated with Head Start students and services for the following entities BAKER ELEMENTARY/HEAD START SCHOOL. In addition, the Block 4 was modified to remove Head Start students from those entities. The reason for Head Start ineligibility is because: (Head Start is not recognized by the state; the facility is home based; the facility provides service to children below the state's minimum recognized age for Head Start). <><><><><> This FRN is denied because the documents provided by you and/or your vendor indicates that there was not a fair and open competitive bid process free from conflicts of interest. The documentation provided by you and/or your service provider indicates that prior to/throughout your contractual relationship with the service provider listed on the FRN, that you were offered and accepted either gifts, meals, gratuities, entertainment from the service provider, WHICH resulted in a competitive process that was no longer fair and open and therefore funding is denied.

FCDL Date: 09/15/2010  
Wave Number: 80L  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHARLOTTE COUNTY SCHOOL DIST  
BEN: 127835  
Funding Year: 2008

Comment on RAL corrections: FRN(s) modified in accordance with a RAL request.

Form 471 Application Number: 606829  
Funding Request Number: 1672302  
Funding Status: Funded  
Category of Service: Internet Access  
Form 470 Application Number: 367080000629396  
SPIN: 143001444  
Service Provider Name: CenturyLink-Embarq Florida, Inc. (FKA Embarq)  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 959330  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$6,000.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$6,000.00  
Discount Percentage Approved by the USAC: 67%  
Funding Commitment Decision: \$4,020.00 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The shared discount was increased to a level that could be validated based on third party data.

FCDL Date: 09/15/2010

Wave Number: 80L

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHARLOTTE COUNTY SCHOOL DIST  
BEN: 127835  
Funding Year: 2008

Comment on RAL corrections: FRN(s) modified in accordance with a RAL request.

Form 471 Application Number: 606829  
Funding Request Number: 1672313  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 367080000629396  
SPIN: 143001444  
Service Provider Name: CenturyLink-Embarq Florida, Inc. (FKA Embarq)  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 959330  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$96,830.64  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$96,830.64  
Discount Percentage Approved by the USAC: 67%  
Funding Commitment Decision: \$64,876.53 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The shared discount was increased to a level that could be validated based on third party data. <><><><><> MR2: The dollars requested were reduced \$8100/month to \$8069.22/month to remove costs associated with Head Start students and services for the following entities BAKER ELEMENTARY/HEAD START SCHOOL. In addition, the Block 4 was modified to remove Head Start students from those entities. The reason for Head Start ineligibility is because: (the facility provides service to children below the state's minimum recognized age for Head Start).

FCDL Date: 09/15/2010  
Wave Number: 80L  
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHARLOTTE COUNTY SCHOOL DIST  
BEN: 127835  
Funding Year: 2008

Comment on RAL corrections: FRN(s) modified in accordance with a RAL request.

Form 471 Application Number: 606829  
Funding Request Number: 1672321  
Funding Status: Funded  
Category of Service: Telecommunications Service  
Form 470 Application Number: 367080000629396  
SPIN: 143001444  
Service Provider Name: CenturyLink-Embarq Florida, Inc. (FKA Embarq)  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 959330  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$10,800.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$10,800.00  
Discount Percentage Approved by the USAC: 67%  
Funding Commitment Decision: \$7,236.00 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The shared discount was increased to a level that could be validated based on third party data.

FCDL Date: 09/15/2010

Wave Number: 80L

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011

FUNDING COMMITMENT REPORT  
Billed Entity Name: CHARLOTTE COUNTY SCHOOL DIST  
BEN: 127835  
Funding Year: 2008

Comment on RAL corrections: FRN(s) modified in accordance with a RAL request.

Form 471 Application Number: 606829  
Funding Request Number: 1672331  
Funding Status: Funded  
Category of Service: Internet Access  
Form 470 Application Number: 367080000629396  
SPIN: 143006742  
Service Provider Name: Sprint Spectrum, L.P.  
Contract Number: MTM  
Billing Account Number: N/A  
Multiple Billing Account Numbers: N  
Service Start Date: 07/01/2008  
Service End Date: 06/30/2009  
Contract Award Date: N/A  
Contract Expiration Date: N/A  
Shared Worksheet Number: 959330  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$10,800.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$10,800.00  
Discount Percentage Approved by the USAC: 67%  
Funding Commitment Decision: \$7,236.00 - FRN approved; modified by SLD  
Funding Commitment Decision Explanation: MR1: The shared discount was increased to a level that could be validated based on third party data.

FCDL Date: 09/15/2010

Wave Number: 80L

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011



## **EXHIBIT B**

FCC Form 471	Do not write in this area.	Approval by OMB 3060-0806			
<b>Schools and Libraries Universal Service</b> <b>Description of Services Ordered and Certification Form 471</b> <b>Estimated Average Burden Hours per Response: 4 hours</b>					
<p>This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services.</p> <p><b>Please read instructions before beginning this application. (You can also file online at <a href="http://www.sl.universalservice.org">www.sl.universalservice.org</a>.)</b></p> <p><b>The instructions include information on the deadlines for filing this application.</b></p>					
<table style="width: 100%;"> <tr> <td style="width: 33%;"> <b>Applicant's Form Identifier</b>  <small>(Create your own code to identify THIS form 471)</small> </td> <td style="width: 33%;"> <b>Form 471 Application#</b>  <small>(To be assigned by administrator)</small> </td> <td style="width: 33%; text-align: right;"> <b>606829</b> </td> </tr> </table>			<b>Applicant's Form Identifier</b> <small>(Create your own code to identify THIS form 471)</small>	<b>Form 471 Application#</b> <small>(To be assigned by administrator)</small>	<b>606829</b>
<b>Applicant's Form Identifier</b> <small>(Create your own code to identify THIS form 471)</small>	<b>Form 471 Application#</b> <small>(To be assigned by administrator)</small>	<b>606829</b>			
<b>Block 1: Billed Entity Information</b> (The "Billed Entity" is the entity paying the bills for the service listed on this form.)					
<b>1 a</b>	<b>Name of Billed Entity</b> CHARLOTTE COUNTY SCHOOL DIST				
<b>2 a</b>	<b>Funding Year: July 1, 2008 Through June 30: 2009</b> <b>Billed Entity Number: 127835</b>				
<b>4 a</b>	<b>Street Address, P.O. Box, or Routing Number</b> 1445 EDUCATION WAY				
	<b>City</b> PORT CHARLOTTE				
	<b>State</b> FL <b>Zip Code</b> 33948 1052				
<b>5 a</b>	<b>Type of Application</b> <div style="margin-left: 20px;"> <input type="checkbox"/> Individual School (individual public or non-public school)  <input checked="" type="checkbox"/> School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools)  <input type="checkbox"/> Library (including library system, library outlet/branch or library consortium as defined under LSTA)  <input type="checkbox"/> Consortium <input type="checkbox"/> Check here if any members of this consortium are ineligible or non-governmental entities)         </div>				
<b>6</b>	<b>Contact Person's Name</b> Matthew Hetman				
<p>First, if the Contact Person's Street Address is the same as in Item 4, check this box. <input type="checkbox"/> If not, please complete the entries for the Street Address below.</p>					
<b>b</b>	<b>Street Address, P.O. Box, or Routing Number</b> PO Box 242157, eRate Consulting Services				
	<b>City</b> Montgomery				
	<b>State</b> AL <b>Zip Code</b> 36124				

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FCC Form 471 - November 2004

Entity Number	127835	Applicant's Form Identifier	127835-F11A
Contact Person	Matthew Hetman	Phone Number	888-249-1661

This information will facilitate the processing of your applications. Please complete all rows that apply to services for which you are requesting discounts. Complete this information on the FIRST Form 471 you file, to encompass this and all other Forms 471 you will file for this funding year. You need not complete this information on subsequent Forms 471. Provide your best estimates for the services ordered across ALL of your Forms 471.

**Schools/school districts complete Item 7. Libraries complete Item 8. Consortia complete Item 7 and/or Item 8.**

**Block 2: Impact of Services Ordered on Schools**

IF THIS APPLICATION INCLUDES SCHOOLS...	BEFORE ORDER	AFTER ORDER
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7a Number of students to be served

17843

NO DATA

## Block 3: Impact of Services Ordered on Libraries

NOT APPLICABLE AS THIS APPLICATION IS FOR DISTRICT

Worksheet A No: 959330

Student Count: 17843

Weighted Product (Sum. Column 8): 11829.4

Shared Discount: 66%

1. School Name: ARMSTRONG ELEMENTARY SCHOOL

2. Entity Number: 38311 NCES: 12 00240 00301

3. Rural/Urban: Urban

4. Student Count: 544

5. NSLP Students: 407

6. NSLP Students/Students: 74.816%

7. Discount: 90%

8. Weighted Product: 489.6

9. Pre-K/Adult Ed/Juv: N

10. Alt Disc Mech: N

1. School Name: BAKER ELEMENTARY/HEAD START SCHOOL

2. Entity Number: 38303 NCES: 12 00240 00299

3. Rural/Urban: Urban

4. Student Count: 231

5. NSLP Students: 216

6. NSLP Students/Students: 93.506%

7. Discount: 90%

8. Weighted Product: 207.9

9. Pre-K/Adult Ed/Juv: N

10. Alt Disc Mech: N

1. School Name: CHARLOTTE HARBOR SCHOOL

2. Entity Number: 38322 NCES: 12 00240 02050

3. Rural/Urban: Urban

4. Student Count: 173

5. NSLP Students: 116

6. NSLP Students/Students: 67.052%

7. Discount: 80%

8. Weighted Product: 138.4

9. Pre-K/Adult Ed/Juv: N

10. Alt Disc Mech: N

1. School Name: CHARLOTTE HIGH SCHOOL

2. Entity Number: 38308 NCES: 12 00240 00296

3. Rural/Urban: Urban

4. Student Count: 2089

5. NSLP Students: 615

6. NSLP Students/Students: 29.439%

7. Discount: 50%

8. Weighted Product: 1044.5

9. Pre-K/Adult Ed/Juv: N

10. Alt Disc Mech: N

1. School Name: CHARLOTTE VOC-TECH CENTER

2. Entity Number: 38300 NCES: 12 00240 02051

3. Rural/Urban: Urban

4. Student Count: 429

5. NSLP Students: 155

6. NSLP Students/Students: 36.130%

7. Discount: 60%

8. Weighted Product: 257.4

9. Pre-K/Adult Ed/Juv: N

10. Alt Disc Mech: N

1. School Name: COMMUNITY ADULT EDUC CENTER

2. Entity Number: 38301 NCES: 12 00240

3. Rural/Urban: Urban

4. Student Count: 0

5. NSLP Students: 0

6. NSLP Students/Students:

7. Discount: 20%

8. Weighted Product: 0

9. Pre-K/Adult Ed/Juv: N

10. Alt Disc Mech: N

1. School Name: DEEP CREEK ELEMENTARY SCHOOL

2. Entity Number: 38328 NCES: 12 00240 02725

3. Rural/Urban: Urban

4. Student Count: 870

5. NSLP Students: 362

6. NSLP Students/Students: 41.609%

7. Discount: 60%

8. Weighted Product: 522

9. Pre-K/Adult Ed/Juv: N      10. Alt Disc Mech: N

1. School Name: EAST ELEMENTARY SCHOOL  
 2. Entity Number: 38327      NCES: 12 00240 00300  
 3. Rural/Urban: Urban  
 4. Student Count: 568      5. NSLP Students: 362      6. NSLP Students/Students: 63.732%  
 7. Discount: 80%      8. Weighted Product: 454.4  
 9. Pre-K/Adult Ed/Juv: N      10. Alt Disc Mech: N

1. School Name: JONES ELEMENTARY SCHOOL  
 2. Entity Number: 38307      NCES: 12 00240 00295  
 3. Rural/Urban: Urban  
 4. Student Count: 767      5. NSLP Students: 357      6. NSLP Students/Students: 46.544%  
 7. Discount: 60%      8. Weighted Product: 460.2  
 9. Pre-K/Adult Ed/Juv: N      10. Alt Disc Mech: N

1. School Name: KINGSWAY ELEMENTARY SCHOOL  
 2. Entity Number: 215071      NCES: 12 00240 03333  
 3. Rural/Urban: Urban  
 4. Student Count: 879      5. NSLP Students: 437      6. NSLP Students/Students: 49.715%  
 7. Discount: 80%      8. Weighted Product: 703.2  
 9. Pre-K/Adult Ed/Juv: N      10. Alt Disc Mech: N

1. School Name: L A AINGER MIDDLE SCHOOL  
 2. Entity Number: 38295      NCES: 12 00240 02422  
 3. Rural/Urban: Urban  
 4. Student Count: 985      5. NSLP Students: 365      6. NSLP Students/Students: 37.055%  
 7. Discount: 60%      8. Weighted Product: 591  
 9. Pre-K/Adult Ed/Juv: N      10. Alt Disc Mech: N

1. School Name: LEMON BAY HIGH SCHOOL  
 2. Entity Number: 38447      NCES: 12 00240 00298  
 3. Rural/Urban: Urban  
 4. Student Count: 1534      5. NSLP Students: 471      6. NSLP Students/Students: 30.704%  
 7. Discount: 50%      8. Weighted Product: 767  
 9. Pre-K/Adult Ed/Juv: N      10. Alt Disc Mech: N

1. School Name: LIBERTY ELEMENTARY SCHOOL  
 2. Entity Number: 38314      NCES: 12 00240 02549  
 3. Rural/Urban: Urban  
 4. Student Count: 724      5. NSLP Students: 440      6. NSLP Students/Students: 60.773%  
 7. Discount: 80%      8. Weighted Product: 579.2  
 9. Pre-K/Adult Ed/Juv: N      10. Alt Disc Mech: N

1. School Name: MEADOW PARK ELEMENTARY SCHOOL  
 2. Entity Number: 38302      NCES: 12 00240 00304  
 3. Rural/Urban: Urban  
 4. Student Count: 747      5. NSLP Students: 409      6. NSLP Students/Students: 54.752%  
 7. Discount: 80%      8. Weighted Product: 597.6  
 9. Pre-K/Adult Ed/Juv: N      10. Alt Disc Mech: N

1. School Name: MURDOCK CENTER  
 2. Entity Number: 16042870      NCES: 12 00240  
 3. Rural/Urban: Urban  
 4. Student Count: 0      5. NSLP Students: 0      6. NSLP Students/Students:  
 7. Discount: 20%      8. Weighted Product: 0  
 9. Pre-K/Adult Ed/Juv: N      10. Alt Disc Mech: N

1. School Name: MURDOCK MIDDLE SCHOOL  
 2. Entity Number: 38298      NCES: 12 00240 02668  
 3. Rural/Urban: Urban  
 4. Student Count: 947      5. NSLP Students: 482      6. NSLP Students/Students: 50.897%  
 7. Discount: 80%      8. Weighted Product: 757.6

9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: MYAKKA RIVER ELEMENTARY SCHOOL  
 2. Entity Number: 38326 NCES: 12 00240 02724  
 3. Rural/Urban: Urban  
 4. Student Count: 724 5. NSLP Students: 390 6. NSLP Students/Students: 53.867%  
 7. Discount: 80% 8. Weighted Product: 579.2  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: PEACE RIVER ELEMENTARY SCHOOL  
 2. Entity Number: 38323 NCES: 12 00240 00297  
 3. Rural/Urban: Urban  
 4. Student Count: 541 5. NSLP Students: 400 6. NSLP Students/Students: 73.937%  
 7. Discount: 80% 8. Weighted Product: 432.8  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: PORT CHARLOTTE HIGH SCHOOL  
 2. Entity Number: 38299 NCES: 12 00240 02122  
 3. Rural/Urban: Urban  
 4. Student Count: 2187 5. NSLP Students: 993 6. NSLP Students/Students: 45.404%  
 7. Discount: 60% 8. Weighted Product: 1312.2  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: PORT CHARLOTTE MIDDLE SCHOOL  
 2. Entity Number: 38309 NCES: 12 00240 00303  
 3. Rural/Urban: Urban  
 4. Student Count: 964 5. NSLP Students: 554 6. NSLP Students/Students: 57.468%  
 7. Discount: 80% 8. Weighted Product: 771.2  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: PUNTA GORDA CENTER  
 2. Entity Number: 16042871 NCES: 12 00240  
 3. Rural/Urban: Urban  
 4. Student Count: 0 5. NSLP Students: 0 6. NSLP Students/Students:  
 7. Discount: 20% 8. Weighted Product: 0  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: PUNTA GORDA MIDDLE SCHOOL  
 2. Entity Number: 38304 NCES: 12 00240 00302  
 3. Rural/Urban: Urban  
 4. Student Count: 1075 5. NSLP Students: 456 6. NSLP Students/Students: 42.418%  
 7. Discount: 60% 8. Weighted Product: 645  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

1. School Name: VINELAND ELEMENTARY SCHOOL  
 2. Entity Number: 38294 NCES: 12 00240 02548  
 3. Rural/Urban: Urban  
 4. Student Count: 865 5. NSLP Students: 335 6. NSLP Students/Students: 38.728%  
 7. Discount: 60% 8. Weighted Product: 519  
 9. Pre-K/Adult Ed/Juv: N 10. Alt Disc Mech: N

#### Block 5: Discount Funding Request(s)

FRN: 1672189 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 367080000629396
13. SPIN: 143001444	14. Service Provider Name: Embarq Florida Inc. FKA Sprint

15a. Non-Contracted tariffed/Month to Month Service: Y	15b. Contract Number: MTM
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/04/2007	18. Contract Award Date:
19a. Service Start Date: 07/01/2008	19b. Service End Date: 06/30/2009
20. Contract Expiration Date:	
21. Attachment #: 606829-1672189	22. Block 4 Worksheet No.: 959330
23a. Monthly Charges: \$4,000.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$4,000.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$48,000.00	
23f. Annual non-recurring (one-time) charges: 0	
23g. Ineligible non-recurring amt.: 0	
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$48,000.00	
23j. % discount (from Block 4): 66	
23k. Funding Commitment Request ( 23i x 23j): \$31,680.00	

FRN: 1672204 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 367080000629396
13. SPIN: 143001444	14. Service Provider Name: Embarq Florida Inc. FKA Sprint
15a. Non-Contracted tariffed/Month to Month Service: Y	15b. Contract Number: MTM
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/04/2007	18. Contract Award Date:
19a. Service Start Date: 07/01/2008	19b. Service End Date: 06/30/2009
20. Contract Expiration Date:	
21. Attachment #: 606829-1672204	22. Block 4 Worksheet No.: 959330
23a. Monthly Charges: \$4,100.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$4,100.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$49,200.00	
23f. Annual non-recurring (one-time) charges: 0	
23g. Ineligible non-recurring amt.: 0	
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$49,200.00	
23j. % discount (from Block 4): 66	
23k. Funding Commitment Request ( 23i x 23j): \$32,472.00	

FRN: 1672213 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 367080000629396
13. SPIN: 143000892	14. Service Provider Name: Nextel South Corp.
15a. Non-Contracted tariffed/Month to Month Service: Y	15b. Contract Number: MTM
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/04/2007	18. Contract Award Date:
19a. Service Start Date: 07/01/2008	19b. Service End Date: 06/30/2009
20. Contract Expiration Date:	
21. Attachment #: 606829-1672213	22. Block 4 Worksheet No.: 959330
23a. Monthly Charges: \$4,400.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$4,400.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$52,800.00	
23f. Annual non-recurring (one-time) charges: 0	
23g. Ineligible non-recurring amt.: 0	
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	

23i. Total program year pre-discount amount ( 23e + 23h): \$52,800.00
23j. % discount (from Block 4): 66
23k. Funding Commitment Request ( 23i x 23j): \$34,848.00

FRN: 1672221	FCDL Date:
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 367080000629396
13. SPIN: 143004256	14. Service Provider Name: Matrix Telecom, Inc.
15a. Non-Contracted tariffed/Month to Month Service: Y	15b. Contract Number: MTM
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/04/2007	18. Contract Award Date:
19a. Service Start Date: 07/01/2008	19b. Service End Date: 06/30/2009
20. Contract Expiration Date:	
21. Attachment #: 606829-1672221	22. Block 4 Worksheet No.: 959330
23a. Monthly Charges: \$600.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$600.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$7,200.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$7,200.00	
23j. % discount (from Block 4): 66	
23k. Funding Commitment Request ( 23i x 23j): \$4,752.00	

FRN: 1672227	FCDL Date:
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 367080000629396
13. SPIN: 143001197	14. Service Provider Name: Verizon Business Global LLC
15a. Non-Contracted tariffed/Month to Month Service: Y	15b. Contract Number: MTM
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/04/2007	18. Contract Award Date:
19a. Service Start Date: 07/01/2008	19b. Service End Date: 06/30/2009
20. Contract Expiration Date:	
21. Attachment #: 606829-1672227	22. Block 4 Worksheet No.: 959330
23a. Monthly Charges: \$1,100.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$1,100.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$13,200.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$13,200.00	
23j. % discount (from Block 4): 66	
23k. Funding Commitment Request ( 23i x 23j): \$8,712.00	

FRN: 1672245	FCDL Date:
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 367080000629396
13. SPIN: 143001435	14. Service Provider Name: Verizon Florida Inc.
15a. Non-Contracted tariffed/Month to Month Service: Y	15b. Contract Number: MTM
15c. Covered under State Master Contract:	15d. FRN from Previous Year:

16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/04/2007	18. Contract Award Date:
19a. Service Start Date: 07/01/2008	19b. Service End Date: 06/30/2009
20. Contract Expiration Date:	
21. Attachment #: 606829-1672245	22. Block 4 Worksheet No.: 959330
23a. Monthly Charges: \$1,700.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$1,700.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$20,400.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$20,400.00	
23j. % discount (from Block 4): 66	
23k. Funding Commitment Request ( 23i x 23j): \$13,464.00	

FRN: 1672259 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 367080000629396
13. SPIN: 143001192	14. Service Provider Name: AT&T Corporation
15a. Non-Contracted tariffed/Month to Month Service: Y	15b. Contract Number: MTM
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/04/2007	18. Contract Award Date:
19a. Service Start Date: 07/01/2008	19b. Service End Date: 06/30/2009
20. Contract Expiration Date:	
21. Attachment #: 606829-1672259	22. Block 4 Worksheet No.: 959330
23a. Monthly Charges: \$1,800.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$1,800.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$21,600.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$21,600.00	
23j. % discount (from Block 4): 66	
23k. Funding Commitment Request ( 23i x 23j): \$14,256.00	

FRN: 1672277 FCDL Date:	
10. Original FRN:	
11. Category of Service: Internet Access	12. 470 Application Number: 367080000629396
13. SPIN: 143001444	14. Service Provider Name: Embarq Florida Inc. FKA Sprint
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: N/A
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/04/2007	18. Contract Award Date: 01/30/2008
19a. Service Start Date: 07/01/2008	19b. Service End Date:
20. Contract Expiration Date: 06/30/2009	
21. Attachment #: 606829-1672277	22. Block 4 Worksheet No.: 959330
23a. Monthly Charges: \$4,219.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$4,219.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$50,628.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$50,628.00	
23j. % discount (from Block 4): 66	
23k. Funding Commitment Request ( 23i x 23j): \$33,414.48	



FRN: 1672288 FCDL Date:	
10. Original FRN:	
11. Category of Service: Internet Access	12. 470 Application Number: 367080000629396
13. SPIN: 143025872	14. Service Provider Name: Trillion Partners, Inc
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: N/A
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/04/2007	18. Contract Award Date: 01/22/2008
19a. Service Start Date: 07/01/2008	19b. Service End Date:
20. Contract Expiration Date: 06/30/2009	
21. Attachment #: 606829-1672288	22. Block 4 Worksheet No.: 959330
23a. Monthly Charges: \$42,526.13	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$42,526.13	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$510,313.56	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$510,313.56	
23j. % discount (from Block 4): 66	
23k. Funding Commitment Request ( 23i x 23j): \$336,806.95	

FRN: 1672302 FCDL Date:	
10. Original FRN:	
11. Category of Service: Internet Access	12. 470 Application Number: 367080000629396
13. SPIN: 143001444	14. Service Provider Name: Embarq Florida Inc. FKA Sprint
15a. Non-Contracted tariffed/Month to Month Service: Y	15b. Contract Number: MTM
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/04/2007	18. Contract Award Date:
19a. Service Start Date: 07/01/2008	19b. Service End Date: 06/30/2009
20. Contract Expiration Date:	
21. Attachment #: 606829-1672302	22. Block 4 Worksheet No.: 959330
23a. Monthly Charges: \$500.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$500.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$6,000.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$6,000.00	
23j. % discount (from Block 4): 66	
23k. Funding Commitment Request ( 23i x 23j): \$3,960.00	

FRN: 1672313 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 367080000629396
13. SPIN: 143001444	14. Service Provider Name: Embarq Florida Inc. FKA Sprint
15a. Non-Contracted tariffed/Month to Month Service: Y	15b. Contract Number: MTM
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/04/2007	18. Contract Award Date:
19a. Service Start Date: 07/01/2008	19b. Service End Date: 06/30/2009
20. Contract Expiration Date:	
21. Attachment #: 606829-1672313	22. Block 4 Worksheet No.: 959330

23a. Monthly Charges: \$8,100.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$8,100.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$97,200.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$97,200.00	
23j. % discount (from Block 4): 66	
23k. Funding Commitment Request ( 23i x 23j): \$64,152.00	

FRN: 1672321	FCDL Date:
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 367080000629396
13. SPIN: 143001444	14. Service Provider Name: Embarq Florida Inc. FKA Sprint
15a. Non-Contracted tariffed/Month to Month Service: Y	15b. Contract Number: MTM
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/04/2007	18. Contract Award Date:
19a. Service Start Date: 07/01/2008	19b. Service End Date: 06/30/2009
20. Contract Expiration Date:	
21. Attachment #: 606829-1672321	22. Block 4 Worksheet No.: 959330
23a. Monthly Charges: \$900.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$900.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$10,800.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$10,800.00	
23j. % discount (from Block 4): 66	
23k. Funding Commitment Request ( 23i x 23j): \$7,128.00	

FRN: 1672331	FCDL Date:
10. Original FRN:	
11. Category of Service: Internet Access	12. 470 Application Number: 367080000629396
13. SPIN: 143006742	14. Service Provider Name: Sprint Spectrum, L.P.
15a. Non-Contracted tariffed/Month to Month Service: Y	15b. Contract Number: MTM
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/04/2007	18. Contract Award Date:
19a. Service Start Date: 07/01/2008	19b. Service End Date: 06/30/2009
20. Contract Expiration Date:	
21. Attachment #: 606829-1672331	22. Block 4 Worksheet No.: 959330
23a. Monthly Charges: \$900.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$900.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$10,800.00	
23f. Annual non-recurring (one-time) charges: 0	23g. Ineligible non-recurring amt.: 0
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$10,800.00	
23j. % discount (from Block 4): 66	
23k. Funding Commitment Request ( 23i x 23j): \$7,128.00	

Block 6: Certifications and Signature

Application ID:606829

Do not write in this area.

Entity Number	127835	Applicant's Form Identifier	127835-F11A
Contact Person	Matthew Hetman	Phone Number	888-249-1661

**Block 6: Certifications and Signature**

24. ☒ I certify that the entities listed in Block 4 of this application are eligible for support because they are: (check one or both)
- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the **No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38)**, that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools including, but not limited to elementary, secondary schools, colleges, or universities
25. ☒ I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed in this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

a.	Total funding year pre-discount amount on this Form 471 (Add the entities from Item 23l on all Block 5 Discount Funding Requests.)	\$898,141.56
b.	Total funding commitment request amount on this Form 471 (Add the entities from Items 23K on all Block 5 Discount Funding Requests.)	\$592,773.43
c.	Total applicant non-discount share (Subtract Item 25b from Item 25a.)	\$305,368.13
d.	Total budgeted amount allocated to resources not eligible for E-rate support	\$2,920,000.00
e.	Total amount necessary for the applicant to pay the non-discount share of the services requested on this application AND to secure access to the resources necessary to make effective use of the discounts. (Add Items 25c and 25d.)	\$3,225,368.13
f.	<input type="checkbox"/> Check this box if you are receiving any of the funds in Item 25e directly from a service provider listed on any Forms 471 filed by this Billed Entity for this funding year, or if a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds in Items 25e.	

26. ☒ I certify that all of the schools and libraries or library consortia listed in Block 4 of this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, and an SLD-certified technology plan approver, prior to the commencement of service. The plans are written at the following level(s):
- a. ☐ an individual technology plan for using the services requested in this application; and/or
- b. ☒ higher-level technology plan(s) for using the services requested in this application; or
- c. ☐ no technology plan needed; applying for basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only.
27. ☒ I certify that I posted my Form 470 and (if applicable) made my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology plan goals.



28. ☒ I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.
29. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the Billed Entity has not received anything of value or a promise of anything of value, other than services and equipment requested under this form, from the service provider(s) or any representative or agent thereof or any consultant in connection with this request for services.
30. ☒ I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts covering all of the services listed on this Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.
31. ☒ I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.
32. ☒ I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
33. ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity (ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity (ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of this program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under the Title 18 of the United States Code, 18 U.S.C. Sec. 1001 and civil violations of the False Claims Act.
34. ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.
35. ☒ I certify that if any of the Funding Requests on this Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the cost of the contract to eligible and ineligible companies as required by the Commission's rules at 47 C.F.R. Sec. 54.504(g)(1),(2).
36. ☒ I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F.R. Sec. 54.506(c).
37. ☒ I certify that the non-discounted portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services features on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

38. Signature of authorized person

39. Signature Date 2/1/2008 3:40:32 PM

**The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.**

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering

services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

**Please submit this form to:**

**SLD-Form 471  
P.O. Box 7026  
Lawrence, Kansas 66044-7026**

**For express delivery services or U.S. Postal Service, Return Receipt Requested,  
mail this form to:**

**SLD Forms  
ATTN: SLD Form 471  
3833 Greenway Drive  
Lawrence, Kansas 66046  
(888) 203-8100**

Print

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## **EXHIBIT C**

FCC Form

Approval by OMB  
3060-0806**470**

# Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application.

(To be completed by entity that will negotiate with providers.)

## Block 1: Applicant Address and Identifications

Form 470 Application Number: 367080000629396
Applicant's Form Identifier: 127835-F11B
Application Status: CERTIFIED
Posting Date: 11/06/2007
Allowable Contract Date: 12/04/2007
Certification Received Date: 11/06/2007

1. Name of Applicant: CHARLOTTE COUNTY SCHOOL DIST		
2. Funding Year: 07/01/2008 - 06/30/2009		3. Your Entity Number 127835
4a. Applicant's Street Address, P.O.Box, or Route Number 1445 EDUCATION WAY		
City PORT CHARLOTTE	State FL	Zip Code 33948-1052
b. Telephone number (941) 255- 0808		c. Fax number (941) 255- 7574
5. Type Of Applicant <input checked="" type="checkbox"/> Individual School (individual public or non-public school) <input type="checkbox"/> School District (LEA;public or non-public[e.g., diocesan] local district representing multiple schools) <input type="checkbox"/> Library (including library system, library outlet/branch or library consortium as defined under LSTA) <input type="checkbox"/> Consortium (intermediate service agencies, states, state networks, special consortia of schools and/or libraries)		
6a. Contact Person's Name: Chris Bress		
First, if the Contact Person's Street Address is the same as in <b>Item 4</b> above, check this box. If not, please complete the entries for the Street Address below.		
6b. Street Address, P.O.Box, or Route Number <input checked="" type="checkbox"/> 1445 EDUCATION WAY		
City PORT CHARLOTTE	State FL	Zip Code 33948-1052
Check the box next to your preferred mode of contact and provide your contact information. One box <b>MUST</b> be checked and an entry provided.		
<input checked="" type="checkbox"/> 6c. Telephone Number (941) 255- 0808		
<input type="checkbox"/> 6d. Fax Number (941) 255- 7574		
<input type="checkbox"/> 6e. E-mail Address chris_bress@ccps.k12.fl.us		

<b>Block 2: Summary Description of Needs or Services Requested</b>
--

**7 This Form 470 describes (check all that apply):**

- a. ☒ Tariffed or month-to-month services to be provided without a written contract. A new Form 470 must be filed for non-contracted tariffed or month-to-month services for each funding year.
- b. ☒ Services for which a new written contract is sought for the funding year in Item 2.  
Check if you are seeking ☒ a multi-year contract and/or ☒ a contract featuring voluntary extensions
- c. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous funding year.

**NOTE: Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous funding year OR a contract signed on/before 7/10/97 and previously reported on a Form 470 as an existing contract do NOT require filing of a new Form 470.**

**What kinds of service are you seeking: Telecommunications Services, Internet Access, Internal Connections Other than Basic Maintenance, or Basic Maintenance of Internal Connections? Refer to the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples. Check the relevant category or categories (8, 9, 10 and/or 11 below), and answer the questions in each category you select.**

**8 ☒ Telecommunications Services**

**Do you have a Request for Proposal (RFP) that specifies the services you are seeking? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.**

a. ☒ **YES**, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):  
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 12.

b. ☐ **NO**, I have not released and do not intend to release an RFP for these services.

**Whether you check YES or NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity (e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Telecommunications services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Attach additional lines if needed.**

c. <input checked="" type="checkbox"/> Check this box if you prefer discounts on your bill.	<input type="checkbox"/> Check this box if you prefer reimbursement after paying your bill in full.	<input type="checkbox"/> Check this box if you do not have a preference.
---	---	--

Service or Function:	Quantity and/or Capacity:
Local service	380 Lines
Long distance service	260 Lines
Cellular service	150 Lines
Switched 800	3 Facilities
Foreign exchange / frame relay	22 Circuits
Data circuits	6 Lines

**9 ☒ Internet Access**

**Do you have a Request for Proposal (RFP) that specifies the services you are seeking? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.**

a. ☒ **YES**, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):  
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 12.

b. ☐ **NO**, I have not released and do not intend to release an RFP for these services.

**Whether you check YES or NO, you must list below the Internet Access Services you seek. Specify each service or function (e.g., monthly Internet service) and quantity and/or capacity (e.g., for 500 users). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Telecommunications**



services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Attach additional lines if needed.

<input checked="" type="checkbox"/> Check this box if you prefer discounts on your bill.	<input checked="" type="checkbox"/> Check this box if you prefer reimbursement after paying your bill in full.	<input checked="" type="checkbox"/> Check this box if you do not have a preference.
--	--	---

Service or Function:	Quantity and/or Capacity:
Broadband IP circuits	CIR of 21 MBPS
DSL	2 circuits
Broadband wireless	15 users, 700 KBPS
Wireless WAN 100 Mbps	4 Sites
Wireless WAN 20 Mbps	16 Sites

**10 ☒ Internal Connections Other than Basic Maintenance**

*Do you have a Request for Proposal (RFP) that specifies the services you are seeking? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have and RFP, you risk denial of your funding requests.*

a ☒ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):

☒ the Contact Person in Item 6 or ☐ the contact listed in Item 12.

b ☒ NO, I have not released and do not intend to release an RFP for these services.

**Whether you check YES or NO, you must list below the Internal Connections Services you seek. Specify each service or function (e.g., a router, hub and cabling) and quantity and/or capacity (e.g., connecting 1 classroom of 30 students). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Telecommunications services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Attach additional lines if needed.**

<input checked="" type="checkbox"/> Check this box if you prefer discounts on your bill.	<input checked="" type="checkbox"/> Check this box if you prefer reimbursement after paying your bill in full.	<input checked="" type="checkbox"/> Check this box if you do not have a preference.
--	--	---

**11 ☒ Basic Maintenance of Internal Connections**

*Do you have a Request for Proposal (RFP) that specifies the services you are seeking? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have and RFP, you risk denial of your funding requests.*

a ☒ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):

☒ the Contact Person in Item 6 or ☐ the contact listed in Item 12.

b ☒ NO, I have not released and do not intend to release an RFP for these services.

**Whether you check YES or NO, you must list below the Basic Maintenance Services you seek. Specify each service or function (e.g., basic maintenance of routers) and quantity and/or capacity (e.g., for 10 routers). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Telecommunications services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Attach additional lines if needed.**

<input checked="" type="checkbox"/> Check this box if you prefer discounts on your bill.	<input checked="" type="checkbox"/> Check this box if you prefer reimbursement after paying your bill in full.	<input checked="" type="checkbox"/> Check this box if you do not have a preference.
--	--	---

**12 (Optional)** Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the Authorized Person who signs this form.

Name: Dan Wright	Title: Technical Analyst
---------------------	-----------------------------

Telephone number

**(941) 255 - 0808 extn: 3009**

Fax number

**(941) 255 - 7574**

E-mail Address

**dan\_wright@ccps.k12.fl.us**

**13a.** ☐ Check this box if there are any restrictions imposed by state or local laws or regulations on how or when service providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or a Web address where they are posted and provide a contact name and telephone number.

☒ Check this box if no state and local procurement/competitive bidding requirements apply to the procurement of services sought on this Form 470.

**13b.** If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, you may summarize below (including the likely timeframes). If you are requesting services for a funding year for which a Form 470 cannot yet be filed online, include that information here.

### Block 3: Technology Resources

**14.** ☐ **Basic telephone service only:** If your application is for basic telephone service and voice mail only, check this box and skip to Item 16. Basic telephone service is defined as wireline or wireless single line voice service (local, cellular/PCS, and/or long distance) and mandatory fees associated with such service (e.g., federal and state taxes and universal service fees).

**15.** Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

**a.** Desktop software: Software required ☒ has been purchased; and/or ☐ is being sought.

**b.** Electrical systems: ☒ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.

**c.** Computers: a sufficient quantity of computers ☒ has been purchased; and/or ☐ is being sought.

**d.** Computer hardware maintenance: adequate arrangements ☒ have been made; and/or ☐ are being sought.

**e.** Staff development: ☒ all staff have had an appropriate level of training /additional training has already been scheduled; and/or ☐ training is being sought.

**f.** Additional details: Use this space to provide additional details to help providers to identify the services you desire.

### Block 4: Recipients of Service

#### 16. Eligible Entities That Will Receive Services:

Check the ONE choice (Item 16a, 16b or 16c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

**a.** ☐ Individual school or single-site library.

**b.** ☒ Statewide application for (enter 2-letter state code) representing (check all that apply):

☐ All public schools/districts in the state:

☐ All non-public schools in the state:

☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☒ School district, library system, or consortium application to serve multiple eligible entities:

Number of eligible sites	24
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
941	255, 474, 575, 625, 628, 697

#### 17. Billed Entities

17. Billed Entities: List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. If a Billed Entity cited on your Form 471 is not listed below, funding may be denied for the funding requests associated with this Form 470.

Entity	Entity Number
CHARLOTTE COUNTY SCHOOL DIST	127835

#### 18. Ineligible Participating Entities

List the names of any entity/entities here for whom services are requested that are not eligible for the Universal Service Program.

Ineligible Participating Entity	Area Code	Prefix
---------------------------------	-----------	--------

### Block 5: Certification and Signature

19. ☒ I certify that the applicant includes: (Check one or both.)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the **No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7081(18) and (38)**, that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges and universities).

20. ☒ I certify that all of the individual schools, libraries, and library consortia receiving services under this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, an SLD-certified technology plan approver, prior to the commencement of service. The plans were written at the following level(s):

- a. ☐ individual technology plans for using the services requested in the application, and/or
- b. ☒ higher-level technology plans for using the services requested in the application, or
- c. ☐ no technology plan needed; application requests basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only

21. ☒ I certify that I will post my Form 470 and (if applicable) make my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology plan goals. I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the status and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts. I

acknowledge that I may be audited pursuant to participation in the schools and libraries program.

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, other than the services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

23. ☒ I acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support.

24. ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity (ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. ☒ I certify that I have reviewed all applicable state and local procurement/competitive bidding requirements and that I have complied with them. I acknowledge that persons willfully making false statements on this form can be punished by fine or forfeiture, under the Commissions Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

26. ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program.

27. Signature of authorized person: ☒

28. Date (mm/dd/yyyy): 11/06/2007

29. Printed name of authorized person: Chris Bress

30. Title or position of authorized person: Director of Learning Through Technology

31a. Address of authorized person: 1445 Education Way  
City: Port Charlotte State: FL Zip: 33948-1052

31b. Telephone number of authorized person: (941) 255 - 0808 ext. 3118

31c. Fax number of authorized person: (941) 2557574

31d. E-mail address number of authorized person: chris\_bress@ccps.k12.fl.us

31e. Name of authorized person's employer: Charlotte County School District

Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the SLD web site at [www.sl.universalservice.org](http://www.sl.universalservice.org) or call the Client Service Bureau at 1-888-203-8100.

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 470  
P.O. Box 7026  
Lawrence, Kansas 66044-7026  
1-888-203-8100**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD Forms  
ATTN: SLD Form 470  
3833 Greenway Drive  
Lawrence, Kansas 66046  
1-888-203-8100**

FCC Form 470  
November 2004

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## **EXHIBIT D**



**Schools and Libraries Division**

Date: June 4, 2010

Christopher Bress  
Charlotte County School District  
Application Number(s): 606829,656774,721765  
**Response Due Date: June 21, 2010**

We are in the process of reviewing Funding Years 2008, 2009, and 2010 Form(s) 471 to ensure that they are in compliance with the rules of the Universal Service program. FY 2008 application 606829 FRN 167228, FY 2009 application 656774 FRNs 1797577 and FY 2010 application 721765 FRN 1957503 will be denied for the following reasons:

Based on the documentation that you have provided, the entire FRNs will be denied because you did not conduct a fair and open competitive bid process free from conflicts of interest. The documentation you provided indicates that you were offered and accepted valuable meals and entertainment immediately prior to and/or during the process you conducted to select a service to provide these goods and services from the service provider you selected. Charlotte County SD posted a Form 470 (36708000062936) on November 6, 2007 and awarded a contract in January 2008 to Trillion Partners for multi-year WAN and Internet services. In 2007 and 2008 Trillion Partners sponsored a Customer Council conference, known as VTEC. Mr. Bress attended the conference and Trillion Partners paid for Mr. Bress travel, meals, gratuities and accommodations. These items approximately total over \$500.00 for each year. Enclosed is a list of expenses paid by Trillion. In Charlotte County SD's response to Mrs. Barbara Cannon, USAC, Mr. Bress discusses that he did receive lunch meals from Trillion Partners representatives (email dated June 25, 2009). These meals and entertainment show that you engaged in non-competitive bidding practices in violation of program rules. Because the competitive bidding process was tainted by these actions, the establishing Form 470 for your Form 471 applications for FY 2008, FY 2009, and FY 2010 are tainted. For additional guidance regarding the competitive bidding process, please refer to the USAC website at: <http://www.usac.org/sl/applicants/step03/run-open-fair-competition.aspx>.

If the entire FRNs should not be denied and you have alternative information, please provide the supporting documentation. If you fail to respond to this email within 7 days, we will perform the action(s) listed above.

Your response dated June 25, 2009 showed that eRate Consulting Services, LLC served as consultant for your school district beginning as early 2005. Please provide answers to the following:

1. Did anyone associated with eRate Consulting Services, LLC introduce you to the service provider Trillion Partners, Inc.?  
☐ Yes ☐ No
2. Did anyone associated eRate Consulting Services, LLC select the vendor for the services requested in the FRNs listed above?  
☐ Yes ☐ No
3. Did anyone associated eRate Consulting Services, LLC encourage you to select Trillion Partners, Inc. as your service provider?  
☐ Yes ☐ No

You have 15 days to respond to this request. Your response is due by the close of business June 21, 2010. Please reply via e-mail or fax. Please provide complete responses and documentation to the questions listed above. It is important that you provide complete responses to ensure the timely review of your applications. If you do not respond, or provide incomplete responses, your funding request(s) (FRNs) may be reduced or denied, or in the case of committed FRNs subjected to commitment adjustment and we will perform the denials described at the beginning of this letter.

If the applicant's authorized representative completed the information in this document, please attach a copy of the letter of agency or consulting agreement between the applicant and the consultant authorizing them to act on the school or library's behalf. If you receive assistance outside of your organization in responding to this request, please indicate this in your reply.

Should you wish to cancel your Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the Form 471 application number(s) and/or funding request number(s). The cancellation request should be signed and dated and including both the name and title of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Pina Portanova  
USAC, Schools and Libraries Division  
Phone: 973-581-5016  
Fax: 973-599-6552  
E-mail: [pportan@sl.universalservice.org](mailto:pportan@sl.universalservice.org)

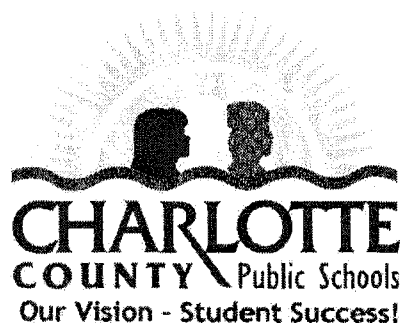


Expense Summary  
H:\PIAOPS\Special Compliance\Trillion\Charlotte Expense Summary

Category	Description	Customer	Date	Gross Receipt Amount	Customer Attendees	\$ per Cust. Attendee	Total \$ to Customer	Notes	Attendees
<b>2006</b>									
Meal/Entertainment	Business Lunch with Customer	CHARLOTTE COUNTY SCHOOL DIST	7/21/2006	\$30.89	1	\$8.63	\$8.63		Chris Bress
Speaking Engagement	Customer Lodging Conference (VTEC)	CHARLOTTE COUNTY SCHOOL DIST	7/26/2006	\$231.70	1	\$231.70	\$231.70		Chris Bress
Meal/Entertainment	Customer Breakfast & Parking Conference (VTEC)	CHARLOTTE COUNTY SCHOOL DIST	7/27/2006	\$746.99	1	\$49.80	\$49.80		Chris Bress
Meal/Entertainment	Customer Lunch Conference (VTEC)	CHARLOTTE COUNTY SCHOOL DIST	7/27/2006	\$820.90	1	\$54.73	\$54.73		Chris Bress
								Total	
Meal/Entertainment	Business Dinner (VTEC Conference)	CHARLOTTE COUNTY SCHOOL DIST	7/28/2006	\$174.50	2	\$11.73	\$23.46	attendees 13	Chris Bress
Meal/Entertainment	Customer Breakfast Conference (VTEC)	CHARLOTTE COUNTY SCHOOL DIST	7/28/2006	\$486.00	1	\$32.40	\$32.40		Chris Bress
Meal/Entertainment	Customer Lunch Conference (VTEC)	CHARLOTTE COUNTY SCHOOL DIST	7/28/2006	\$541.61	1	\$36.11	\$36.11		Chris Bress
Speaking Engagement	Conference (VTEC) Transportation Customer Council for reference speaking engagement	CHARLOTTE COUNTY SCHOOL DIST	8/10/2006	\$42.75	1	\$42.75	\$42.75		Chris Bress
Meal/Entertainment	Business Breakfast with Customer	CHARLOTTE COUNTY SCHOOL DIST	9/14/2006	\$31.51	1	\$9.00	\$9.00		Chris Bress
			<b>Total</b>	<b>\$3,106.85</b>		<b>\$476.85</b>	<b>\$488.58</b>		
<b>2007</b>									
Meal/Entertainment	Business Lunch with Customer	CHARLOTTE COUNTY SCHOOL DIST	3/6/2007	\$36.97	1	\$10.32	\$10.32		Chris Bress
Speaking Engagement	Customer Lodging Conference (VTEC)	CHARLOTTE COUNTY SCHOOL DIST	8/8/2007	\$204.70	1	\$204.70	\$204.70		Sondra Adams
								Customer spoke at conference to other districts & Trillion	
Speaking Engagement	Conference (VTEC) Transportation Customer Council for reference speaking engagement	CHARLOTTE COUNTY SCHOOL DIST	8/20/2007	\$423.12	1	\$423.12	\$423.12		Chris Bress
			<b>TOTAL</b>	<b>\$664.79</b>		<b>\$638.14</b>	<b>\$638.14</b>		
<b>2008</b>									
Meal/Entertainment	Conference (VTEC) Transportation Customer Council for reference speaking engagement	CHARLOTTE COUNTY SCHOOL DIST	5/21/2008	\$296.00	1	\$296.00	\$296.00		Chris Bress
Meal/Entertainment	Conference (VTEC) Transportation Customer Council for reference speaking engagement	CHARLOTTE COUNTY SCHOOL DIST	6/25/2008	\$3,415.55	16	\$213.47	\$213.47		Chris Bress
gratuity	golf shirt	CHARLOTTE COUNTY SCHOOL DIST	6/26/2008	\$757.75	28	\$27.06	\$27.06		
			<b>TOTAL</b>	<b>\$4,469.30</b>		<b>\$536.53</b>	<b>\$536.53</b>		

## **EXHIBIT E**

David E. Gayler, Ph.D  
Superintendent



**School Board**

Sue Sifrit, *Chairman*  
Andrea Messina, *Vice Chairman*  
Alleen Miller  
Barbara Rendell  
Lee Swift

June 23, 2010

Pina Portanova  
Universal Service Administrative Company  
Schools and Libraries Division - Correspondence Unit  
30 Lanidex Plaza West, PO Box 685  
Parsippany, NJ 07054-0685

Re: Form 471 Application Number(s): 606829, 656774 and 721765

Dear Ms Portanova:

Thank you for the opportunity to respond to the Universal Service Administrative Company's ("USAC's") June 4, 2010 letter in which it proposes the denial of Charlotte County School District's (the "District's") FY 2008 Form 471 application 606829 (FRN 167228), FY2009 Form 471 application 656774 (FRN 1797577) and FY2010 Form 471 application (FRN 1957503) (the "June 4 Letter").<sup>1</sup> Each of the identified FRNs concerns funding requests to pay Trillion partners, Inc. ("Trillion") for wireless area network ("WAN") and Internet services provided to the District. As explained below, the District strongly believes that once you have had an opportunity to fully consider the facts and circumstances involved, USAC will reconsider its tentative conclusions and denial of the subject funding requests.

In the June 4 Letter, you stated that "the entire FRNs will be denied because you did not conduct a fair and open competitive bid process free from conflicts of interest." The letter explains that "[t]he documentation you provided indicates that you were offered and accepted valuable meals and entertainment immediately prior to and/or during the process you conducted to select a service [provider] to provide these goods and services from the service provider you selected." More specifically, the letter identifies the Form 470 (36708000062396) posted on November 6, 2007 by the District and my attendance at Customer Council conferences sponsored by Trillion in 2007 and 2008. Your letter focuses on Trillion's payment of my conference-related expenses, namely travel, meals, gratuities and accommodations which are stated to be over \$500 for each year. USAC then concludes that "these meals and entertainment show that you engaged in non-competitive bidding practices in violation of program rules" and that [b]ecause the competitive bidding process was tainted by these actions, the establishing Form 470 for your Form 471 applications for FY2008, FY2009 and FY2010 are tainted."

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<sup>1</sup> By Attachment A to this letter, the District will provide its answers to the questions posed in the June 4 Letter concerning eRate Consulting Services, LLC.

The District respectfully disagrees and in support of our request that you reconsider the proposed denials, the District states as follows:

At the outset, the District apologizes for any confusion that may have been caused by the information and documentation it has provided but the reality is that neither I nor anyone else at the District accepted "valuable meals and entertainment **immediately prior to and/or during** the process [it] conducted to select a service [provider] to provide these goods and services from the service provider [it] selected." The relevant chronology is set forth below.

1. Trillion was the successful bidder in response to a competitive bidding process conducted in accordance with a Request for Proposals issued by the District and, in 2003, a five-year contract for the provision of WAN and Internet services to the District was awarded to Trillion.

2. I attended Trillion-sponsored Customer Council conferences in July, 2006 and in August of 2007. At that time, the 2003 contract with Trillion to provide the WAN and Internet services to the District was still in effect and the District was an existing customer.

3. On November 6, 2007, in anticipation of the expiration of the contract, the District posted a Form 470 (36708000062396) to rebid the provision of the WAN and Internet services. The Allowable Contract Date was December 4, 2007. Only Trillion submitted a bid. District accepted Trillion's bid and, on January 22, 2008, renewed the contract for another five years, until June 30, 2013.

4. Thus, at the time that I attended the 2007 Trillion conferences, the original multi-year contract with Trillion was still in effect, the District was an existing customer and the commencement of a competitive bidding process for a new contract was still three (3) months away in the case of the 2007 conference.

5. I attended a Trillion-sponsored conference in June of 2008. At that time, a new multi-year contract had been awarded to Trillion four (4) months earlier and there was no ongoing or planned competitive bidding process at that time.

In view of the foregoing, the District respectfully submits that the expenses associated with my attendance at the 2007 and 2008 Trillion conferences that were paid by Trillion were not incurred or paid "immediately prior to and/or during the process [the District] conducted to select a service [provider]" to provide the WAN and Internet services. On this basis, the District requests that USAC reconsider its proposed denial of the subject funding requests.

Even if my attendance at the Trillion conferences had occurred "immediately prior to and/or during the process [the District] conducted to select a service [provider]" to provide the WAN and Internet services -- **which it clearly did not** -- other equally persuasive reasons exist for reconsideration of the proposed denial of the District funding requests at issue here.

First, I was not just an attendee at the conferences; I was an invited speaker. It is not uncommon for the conference sponsor to pay the expenses of speakers at its conferences. I am

very well regarded and knowledgeable in matters affecting technology for educational institutions. Indeed, I have been a speaker at many conferences sponsored by many different companies and each time, the conference sponsor has paid my travel, accommodation and meal expenses.<sup>2</sup> This is the only way that representatives of school districts can afford to be speakers at such conferences without resorting to the use of scarce public school district funds. I attend and speak at these conferences for the purpose of staying abreast of changes in the rapidly evolving technology and the availability of new services and to share my knowledge and experiences with other school districts whose representatives also attend the conferences.<sup>3</sup>

Second, the monetary value of the contract awarded in January 2008 pursuant to the Form 470 was \$2,551,567.80 over the five-year life of the contract. The 2007 District conference-related expenses paid by Trillion totaled only \$638.14. The 2008 District conference-related expenses paid by Trillion totaled only \$536.53. The District respectfully submits that, in absolute terms as well as relative to the value of the contract, these expenses are *de minimis* and it is plainly counterintuitive to conclude that these conference-related expenses of District representatives paid by Trillion in 2007 and 2008, tainted a competitive bidding process for a \$2,551,567.80 contract.<sup>4</sup> The District submits that the acceptance of Trillion's payment of these expenses would not and certainly did not have any effect on the treatment of Trillion or anyone else in any competitive bidding process conducted by the District. Of course, as discussed earlier, the 2007 conference took place while an existing contract with Trillion was in place and many months before the Form 470 (36708000062396) was posted and the competitive bidding process even began. In the case of the 2008 conference, it was held many months after the competitive bidding process under the Form 470 (36708000062396) was conducted and concluded and a contract award to Trillion had been made. Notwithstanding the timelines, the leap from payment of such *de minimis* expenses to the tainting of a competitive bidding process is quantum and unsupported. It is particularly inappropriate when the net result -- the denial of significant amounts of funding -- is so severe.

The June 4 Letter refers the District to the USAC website at:  
<http://www.usac.org/sl/applicants/step03/run-open-fair-competition.aspx> for "additional guidance regarding the competitive bidding process." There, USAC states that:

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<sup>2</sup> The following articles provide background on my visibility in the industry and thus why I am an invited speaker at many conferences:

<http://thejournal.com/articles/2007/09/01/disaster-recovery--courting-disaster.aspx>  
<http://www.edtechmag.com/k12/issues/january-february-2009/going-the-distance.html>  
[http://www.bluecoat.co.jp/customers/pdf/casesstudy\\_charlotte.pdf](http://www.bluecoat.co.jp/customers/pdf/casesstudy_charlotte.pdf)  
<http://www.edtechmag.com/k12/events/videos/videos.html>

<sup>3</sup> In addition, it is the District's understanding that Trillion treated all of its conference attendees in the same manner whether or not the vendor-customer relationship was the result of a USAC-related competitive bidding process and contract award. Thus, the expenses of all attendees were paid by Trillion as the conference sponsor.

<sup>4</sup> Even if viewed from the perspective of individual funding requests, the FY2008, FY2009 and FY2010 requests are for \$510,313.56 each. On the average, the 2007-2008 conference-related expenses paid by Trillion were approximately only \$587.00 per year.

"[i]n order to be sure that a fair and open competition is achieved, any marketing discussions held with service providers must be neutral, so as not to taint the competitive bidding process." That is, the applicant should not have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with "inside" information or allow it to unfairly compete in any way."

The District **did not** have a relationship with Trillion prior to or during a competitive bidding process that unfairly influenced the outcome of a competition or furnished Trillion with any "inside" information or allowed it to unfairly compete in any way. Throughout the time period in question, the relationship that the District has had with Trillion has been that of vendor-customer as a result of an existing contract awarded pursuant to USAC-related competitive bidding processes, and not in anticipation of a future award of a contract in a USAC-related competitive bidding process. As a practical matter, communication between a school district and its existing vendors is essential in order for the school district to obtain the full benefits of the services being provided under a currently-effective contract. The District respectfully submits that it was not the intent of USAC or the FCC to preclude such communication because of participation by those vendors in a competitive bidding process for innovative, highly technical services. This would be particularly true when, as in this case, the vendor is the only participant in the process.

Perhaps most importantly, there is no evidence that I or anyone else at the District had any communication whatsoever with a representative of Trillion at any of the conferences or at any other time concerning the procedures or the substance of any pending or planned competitive bidding process that could reasonably be thought to have provided Trillion with any kind of inside information or other undue preference because it simply did not happen. There is also no evidence whatsoever that there was a competitive bidding process underway at the time of the conferences or that any such future process was in any way influenced by Trillion. And that too is because it did not happen.

The Form 470 (36708000062396) posted on November 6, 2007 was very straightforward and the request for services was impartially drafted. It was not tailored to suit any one company or type of company and there is no evidence to the contrary. The Form 470 (36708000062396) was intended to attract as many competitive bidders as possible while assuring that it accurately reflected the status of the project and that the needs of the District would be met. The District cannot account for why Trillion was the only bidder in response to the Form 470 (36708000062396) but it can state definitively that it was not the result of any unfair conduct by the District. The District fully understands that "the competitive bidding process must be fair and open . . . [and that] "Fair" means that all bidders are treated the same and that no bidder has advance knowledge of the project information . . . [and that] "Open" means there are no secrets in the process – such as information shared with one bidder but not with others – and that all bidders know what is required of them."<sup>5</sup> The District's competitive bidding process and treatment of bidders fully comports with these admonitions and there is no evidence to the

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<sup>5</sup> <http://www.usac.org/sl/applicants/step03/run-open-fair-competition.aspx>

Pina Portanova  
June 23, 2010  
Page 5

contrary. While having only one bidder respond is not optimal, the reason likely involves economic conditions, the fact that much of the network was already constructed under the initial five-year contract and that Trillion happens to be the leading provider of the type of services that are sought by school districts in these types of requests for services.<sup>6</sup> Moreover, and regardless of the reason, since Trillion was the only bidder in response to the Form 470 (36708000062396), there was not even an opportunity for unfair or anticompetitive behavior in the consideration of the Trillion bid by the District.

The District respectfully submits that initial appearances are not always an accurate reflection of reality. And so it is in this case. The District has been and continues to be very proud of the good work that it has done in coordinating the delivery of advanced technology services to its K through 12 schools and students and doing so in compliance with USAC program rules and guidelines. For the reasons explained above, the Charlotte County School District urges USAC to reconsider its proposed conclusions and denials of the funding requests in this case. Please feel free to contact me in the event you find that any clarification or additional information is necessary or desirable for USAC to reach a decision.

Sincerely,



Christopher J. Bress  
Executive Director of Learning  
through Technology and Media  
Charlotte County Public Schools  
Phone: 941-255-0808 ex. 3144

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<sup>6</sup> As Trillion states on its own website, "Trillion is the largest national service provider of fixed wireless and fiber wide area networks for K-12 school districts in the country. We currently manage over 200,000 miles of networks and provide services to over 1,000 schools coast to coast in the United States." [www.trillion.net/about/](http://www.trillion.net/about/).

ATTACHMENT A

In your June 4 Letter, you also asked that we respond to certain questions regarding eRate Consulting Services, LLC. The answers to those questions are as follows:

1. Did anyone associated with eRate Consulting Services, LLC introduce you to the service provider Trillion Partners, Inc?  
☐ Yes    ☒ No
2. Did anyone associated eRate Consulting Services, LLC select the vendor for the services requested in the FRNs listed above?  
☐ Yes    ☒ No
3. Did anyone associated eRate Consulting Services, LLC encourage you to select Trillion Partners, Inc. as your service provider?  
☐ Yes    ☒ No



## **EXHIBIT F**



**Trillion Partners, Inc.**  
**9208 Waterford Centre Blvd., Suite 150**  
**Austin, Texas 78758**

June 21, 2010

Ms. Pina Portanova  
USAC Schools and Library Division  
Universal Service Administrative Company  
2000 L Street, N.W., Suite 200  
Washington, D.C. 20036  
pportan@sl.universalservice.org

*Delivered via email*

Federal Communications Commission  
Attention: Gina Spade, Deputy Division Chief  
Telecommunications Access Policy Division  
445 12th Street SW  
Washington, DC 20554

*Delivered via Electronic Comments Filing System*

RE: Response to USAC and Appeal to FCC: Charlotte County School District letter dated June 4, 2010

Dear Ms. Portanova and Ms. Spade,

On behalf of the Board, investors and management team of Trillion Partners, Inc., please accept this response to the Intent to Deny Letter from USAC to Charlotte County School District dated June 4, 2010. Additionally, please accept this letter as a simultaneous appeal to the FCC of the Intent to Deny, requesting that all of the applications as referenced in such letter be approved for funding.

Due to the magnitude of the proposed denial and the substantial delay in the issuance of USAC's currently proposed intent to deny, Trillion and all of its affected customers are under a severe hardship and request expedited resolution of this matter.

Trillion Partners is responding to this letter because thousands of students will likely be denied crucial educational access. Trillion constructed a major broadband network in this portion of Florida, with its customers relying on the consistent approvals by USAC in years past. The approval of this application is needed in order to continue to support these children who rely every school day on Trillion's embedded investment of this broadband asset.

During a phone conference on June 9, 2010, Mr. Scott Barash indicated that our comments would be accepted and included as part of USAC's review of the application. This must in no way be considered a delay in the FCC's immediate consideration of this urgent appeal.

## **Background**

Charlotte County School District is located in Port Charlotte, Florida serving over 16,000 students in the district. Trillion acquired this contract as part of an asset purchase and was not a party to the original bid process back in 2002. Trillion provides WAN and Internet services to the district.

## **Response to Questions**

See attached letter from USAC to Charlotte County dated June 4, 2010 for questions asked by USAC.

Regarding Visionaries in Technology Education Counsel ("VTEC"), as provided in the letter to Mel Blackwell dated June 8, 2009, VTEC was an educational conference for existing Trillion customers after they were under contract with Trillion. This was a participant-driven conference focused on education-oriented best practices. The main goal was improving education and the application of technologies to achieve this goal. Guest speakers included nationally renowned speakers including a University professor and an learning technology expert, neither of whom were associated with Trillion. Each participant shared their thoughts in an open discussion forum on what they generally thought would shape education in the years to come.

Expenses associated with the VTEC conference in no way affected any competitive bidding process and only applied to existing customers who wished to discuss education issues with their peers. This conference was in full compliance with all applicable state and local procurement guidelines.

The facts provided in the letter from USAC regarding the VTEC conference are, in each instance, in full compliance with all applicable procurement laws and regulations. The FCC requires that routine business meals and expenses involved in the VTEC conference must comply with state and local guidelines, and that there are no federal guidelines that apply to E-Rate participants on this issue. Also as outlined, Trillion is aware of the Notice of Proposed Rulemaking dated May 20, 2010, soliciting public comment on a potential rule which would extend current rules for Executive Branch employees to employees of governmental entities that participate in the E-Rate program. As of this writing, not only has this new proposed rule not yet been approved, it is definitely not being proposed to apply retroactively. This means that this proposed rule did not and will not apply to the facts you describe to form the basis for the proposed denial. The FCC has proposed applying the Executive Branch guidelines to E-Rate participants because there are no federal guidelines that apply to E-Rate participants today or in the past. Furthermore, Trillion currently operates under a strict Code of Conduct which would fully comply with the FCC's proposed guideline. In all instances, the facts you describe regarding this customer did not affect the competitive bidding process and were in full compliance with all applicable competitive bidding and procurement requirements.

The amounts spent on meals or other routine business expenses were trivial and could not have possibly influenced a decision that would ultimately be made by the School Board. Furthermore, no member of the School Board or decision maker received any such expense. The fact is, Trillion invested \$1.4 million in order to construct a network providing critical services with a total contract value of \$3,483,420, while the amount of the routine business meals and expenses only amounted to

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\$1,127 over a three year period, all expenses occurred after this was an existing customer and never went to any individual with decision making authority.

In summary, this customer's actions were in full compliance with state and local procurement guidelines in effect at the time. The currently proposed FCC rule on gifts and gratuities has not been approved and is not proposed to apply retroactively to the time period in question. The amounts of the routine business meals and expenses were trivial and were never given to decision makers. Therefore, the customer's actions did not, in any way whatsoever, improperly affect the competitive bidding process.

Trillion respectfully requests that this application not be denied based on this issue.

Sincerely,

**Trillion Partners, Inc.**

Attachments:

- Trillion Account Summary and Review June 8, 2009 – Charlotte County School District
- Letter from USAC to Charlotte County School District dated June 4, 2010
- Letter to Mr. Scott Barash dated June 8, 2010

cc: Catriona Ayer, USAC  
Irene Flannery, FCC

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9208 Waterford Centre Boulevard Suite 150 Austin, Texas 78758 (512)334-4100



## Trillion Account Summary and Review

### Customer Information

**Name** CHARLOTTE COUNTY SCHOOL DIST  
**Address** 1445 Education Way Port Charlotte F 339  
L 48  
**Billed Entity # (BEN)** 127835  
**Lead Sales Representative** Asset Acquisition – Sales representative prior to asset acquisition unknown  
Post Asset Acquisition – David Jolly, Chuck Browning  
**Customer of:** Gary No Roger Steve  
**(Direct Sales Communications)** Gaessler Clague Davis No  
**Trillion/E-Rate Consultant** None  
**Communication**  
**Customer Status** Active customer. Customer reference and VTEC Conference attendee.

### Contract Information

ContractNumber	Award Date	End Date	470 Number	470 Date	FRN Number	471 Number
N/A	01/31/02	06/30/08	129710000391780	12/07/01	1547566	560949
NA	01/31/02	06/30/08	129710000391780	12/07/01	1301495	463795
N/A	04/19/02	06/30/08	129710000391780	12/07/01	1096469	401024

### Extensions/Renewals/Upgrades

ContractNumber	Award Date	End Date	470 Number	470 Date	FRN Number	471 Number
NA	02/15/05	06/30/08	451060000513932	11/24/04	1400257	498259
N/A	01/22/08	06/30/13	367080000629396	11/06/07	1672288	606829
N/A	01/22/08	06/30/13	367080000629396	11/06/07	1797577	656774

### Expense Summary

**Governing State** Florida  
**Business Meals** In compliance with state guidelines  
**Gifts & Entertainment** In compliance with state guidelines

### Customer Communications

**Communications Provided** **Begin Date** 8/29/2006 **End Date** 12/17/2007  
**Customer Communications Summary** Typical customer communications.

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Austin, Texas 78758

(512) 334-4100



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**Schools and Libraries Division**

Date: June 4, 2010

Christopher Bress  
Charlotte County School District  
Application Number(s): 606829,656774,721765  
**Response Due Date: June 21, 2010**

We are in the process of reviewing Funding Years 2008, 2009, and 2010 Form(s) 471 to ensure that they are in compliance with the rules of the Universal Service program. FY 2008 application 606829 FRN 167228, FY 2009 application 656774 FRNs 1797577 and FY 2010 application 721765 FRN 1967503 will be denied for the following reasons:

Based on the documentation that you have provided, the entire FRNs will be denied because you did not conduct a fair and open competitive bid process free from conflicts of interest. The documentation you provided indicates that you were offered and accepted valuable meals and entertainment immediately prior to and/or during the process you conducted to select a service to provide these goods and services from the service provider you selected. Charlotte County SD posted a Form 470 (36708000062936) on November 6, 2007 and awarded a contract in January 2008 to Trillion Partners for multi-year WAN and Internet services. In 2007 and 2008 Trillion Partners sponsored a Customer Council conference, known as VTEC. Mr. Bress attended the conference and Trillion Partners paid for Mr. Bress travel, meals, gratuities and accommodations. These items approximately total over \$500.00 for each year. Enclosed is a list of expenses paid by Trillion. In Charlotte County SD's response to Mrs. Barbara Cannon, USAC, Mr. Bress discusses that he did receive lunch meals from Trillion Partners representatives (email dated June 25, 2009). These meals and entertainment show that you engaged in non-competitive bidding practices in violation of program rules. Because the competitive bidding process was tainted by these actions, the establishing Form 470 for your Form 471 applications for FY 2008, FY 2009, and FY 2010 are tainted. For additional guidance regarding the competitive bidding process, please refer to the USAC website at: <http://www.usac.org/sl/applicants/step03/run-open-fair-competition.aspx>.

If the entire FRNs should not be denied and you have alternative information, please provide the supporting documentation. If you fail to respond to this email within 7 days, we will perform the action(s) listed above.

Your response dated June 25, 2009 showed that eRate Consulting Services, LLC served as consultant for your school district beginning as early 2005. Please provide answers to the following:

1. Did anyone associated with eRate Consulting Services, LLC introduce you to the service provider Trillion Partners, Inc.?  
☐ Yes ☐ No
2. Did anyone associated eRate Consulting Services, LLC select the vendor for the services requested in the FRNs listed above?  
☐ Yes ☐ No
3. Did anyone associated eRate Consulting Services, LLC encourage you to select Trillion Partners, Inc. as your service provider?  
☐ Yes ☐ No

You have 15 days to respond to this request. Your response is due by the close of business June 21, 2010. Please reply via e-mail or fax. Please provide complete responses and documentation to the questions listed above. It is important that you provide complete responses to ensure the timely review of your applications. If you do not respond, or provide incomplete responses, your funding request(s) (FRNs) may be reduced or denied, or in the case of committed FRNs subjected to commitment adjustment and we will perform the denials described at the beginning of this letter.

If the applicant's authorized representative completed the information in this document, please attach a copy of the letter of agency or consulting agreement between the applicant and the consultant authorizing them to act on the school or library's behalf. If you receive assistance outside of your organization in responding to this request, please indicate this in your reply.

Should you wish to cancel your Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the Form 471 application number(s) and/or funding request number(s). The cancellation request should be signed and dated and including both the name and title of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Pina Portanova  
USAC, Schools and Libraries Division  
Phone: 973-581-5016  
Fax: 973-699-6552  
E-mail: pportan@sl.universalservice.org

Expense Summary  
 H:\PIA\PSISpecial Compliance\Trillion\Charlotte Expense Summary

Category	Description	Customer	Date	Gross Receipt Amount	Customer Attendees	\$ per Cust. Attendee	Total \$ to Customer	Notes	Attendees
2006									
Meal/Entertainment	Business Lunch with Customer	CHARLOTTE COUNTY SCHOOL DIST	7/21/2006	\$30.89	1	\$8.63	\$8.63		Chris Bress
Speaking Engagement	Customer Lodging Conference (VTEC)	CHARLOTTE COUNTY SCHOOL DIST	7/28/2006	\$231.70	1	\$231.70	\$231.70		Chris Bress
Meal/Entertainment	Customer Breakfast & Parking Conference (VTEC)	CHARLOTTE COUNTY SCHOOL DIST	7/27/2006	\$746.99	1	\$49.80	\$49.80		Chris Bress
Meal/Entertainment	Customer Lunch Conference (VTEC)	CHARLOTTE COUNTY SCHOOL DIST	7/27/2006	\$620.90	1	\$54.73	\$54.73		Chris Bress
								Total	
Meal/Entertainment	Business Dinner (VTEC Conference)	CHARLOTTE COUNTY SCHOOL DIST	7/28/2006	\$174.50	2	\$11.73	\$23.48	attendees 13	Chris Bress
Meal/Entertainment	Customer Breakfast Conference (VTEC)	CHARLOTTE COUNTY SCHOOL DIST	7/28/2006	\$488.00	1	\$32.40	\$32.40		Chris Bress
Meal/Entertainment	Customer Lunch Conference (VTEC)	CHARLOTTE COUNTY SCHOOL DIST	7/28/2006	\$541.61	1	\$55.11	\$36.11		Chris Bress
	Conference (VTEC) Transportation Customer Council for								
Speaking Engagement	reference speaking engagement	CHARLOTTE COUNTY SCHOOL DIST	8/10/2006	\$42.75	1	\$42.75	\$42.75		Chris Bress
Meal/Entertainment	Business Breakfast with Customer	CHARLOTTE COUNTY SCHOOL DIST	9/14/2006	\$31.61	1	\$9.00	\$9.00		Chris Bress
			Total	\$3,106.85		\$476.85	\$488.58		
2007									
Meal/Entertainment	Business Lunch with Customer	CHARLOTTE COUNTY SCHOOL DIST	3/6/2007	\$36.87	1	\$10.32	\$10.32		Chris Bress
Speaking Engagement	Customer Lodging Conference (VTEC)	CHARLOTTE COUNTY SCHOOL DIST	8/8/2007	\$204.70	1	\$204.70	\$204.70		Sandra Adams
								Customer spoke at conference to other districts & Trillion	
Speaking Engagement	Conference (VTEC) Transportation Customer Council for reference speaking engagement	CHARLOTTE COUNTY SCHOOL DIST	8/20/2007	\$423.12	1	\$423.12	\$423.12		Chris Bress
			TOTAL	\$464.79		\$638.14	\$538.14		
2008									
Meal/Entertainment	Conference (VTEC) Transportation Customer Council for reference speaking engagement	CHARLOTTE COUNTY SCHOOL DIST	5/21/2008	\$296.00	1	\$296.00	\$296.00		Chris Bress
Meal/Entertainment	Conference (VTEC) Transportation Customer Council for reference speaking engagement	CHARLOTTE COUNTY SCHOOL DIST	6/25/2008	\$3,415.55	16	\$213.47	\$213.47		Chris Bress
grocery	golf shirt	CHARLOTTE COUNTY SCHOOL DIST	8/26/2008	\$757.76	28	\$27.06	\$27.06		
			TOTAL	\$4,469.30		\$638.53	\$538.53		



June 8<sup>th</sup>, 2010

Mr. Scott Barash  
Chief Executive Officer  
Universal Service Administrative Company  
2000 L Street, N.W., Suite 200  
Washington, D.C. 20036

Dear Scott,

On behalf of the Board, investors and management team of Trillion, I want to send a sincere thanks for applying additional resources to Trillion's applicants. Yet, as communicated via emails and phone calls from Ron Reich of Intel, Trillion Partners has reached a point of insolvency and imminent bankruptcy given an extended lack of funding under the E-Rate program. As referenced in the letters to the E-Rate Executive Director last January, and last month to Chairman Genachowski, Trillion has undergone enormous strain and on-going financial damages due to multi-year delays in processing in excess of \$17M in applications. USAC committed to process a minimum of 50 applications by yesterday, the 7<sup>th</sup> of June. Trillion is now aware of disposition on some of the 50 promised applications, which in some cases stretch back to 2006.

Trillion is now aware that USAC recently sent letters to at least 13 Trillion customers over the last few days, indicating intention to deny their applications. This letter details the overarching policy context and cites reasons in specific cases as to why applications in this group of 13 have been incorrectly processed after very lengthy delays. This letter is a final appeal to hopefully prevent an avoidable and catastrophic series of service disruptions. We strongly believe that a "fair and open competitive process" was not impaired by a conflict of interest, and that the regulations and rules have been misapplied and the facts misinterpreted in each of these applications. We urge that USAC immediately reconsider these specific applications and approve them for funding. If these actions are not corrected immediately, the company does not expect to have funds on Monday June 14<sup>th</sup> to make its payroll obligation and to make payment on long overdue obligations to circuit suppliers. We expect the to be forced to close its doors and to discontinue service to over 600,000 students and 22,000 school administrators. The market will be left with one less competent service provider in direct conflict with the FCC's goal of promoting a competitive environment to deliver the best broadband services to schools at the lowest cost.

Trillion has endeavored, based upon years of USAC guidance and training, to make sure that its approach is consistent with state, local and FCC procurement rules. Trillion believes that the data provided by Trillion to USAC supports this. However, it appears that USAC is basing potential denials on rules that have never been formally adopted or interpretations of data that are not consistent with the facts as provided in the documentation by the company. We are alarmed that USAC is applying potential rules retroactively to applications as far back as 2004. The results of these practices are seemingly to single out Trillion in a manner that if applied universally across all service providers would result in denial of the majority of all applications put forth for E-Rate funding to USAC.

Based upon the 13 letters received thus far, the following are policies that have been incorrectly applied.

- Gifts and other expenses that are allowable
- Consortium member approval prior to bid
- 470 related communications by a vendor
- Communications allowable by an incumbent vendor with its customer

Below we provide factual evidence that clears any suspicion of conflicts of interest or other issues that may have prevented a fair and open competitive process on the example application under review. We believe that for each and every of the 13 applications in question, that the facts support the same strict and clear compliance with all rules communicated by USAC. Each of these applications must be swiftly approved so that further misapplication of rules and unjust financial damage to company can stop immediately. For example, Trillion was recently provided a letter from USAC dated June 3, 2010 to a Trillion customer, Houston County Board of Education, that threatens denial of their E-Rate application. In this letter, the applicant, Houston County Board of Education, is told that its application for E-Rate funding will be denied in full due to a \$26 meal provided by the school district's incumbent service provider, Trillion. The letter solely points to this meal as reason for impending denial.

*"Based on the documentation that you or Trillion Partners, Inc. have provided, the entire amount of FRNs 1786841, 1786824, and 1809620 will be denied because you did not conduct a fair and open competitive bid process free from conflicts of interest. The documentation you or Trillion provided indicates that you were offered and accepted valuable gifts, in the form of a meal, immediately prior to the process you conducted to select a service to provide these goods and services from the service provider you selected. This gift shows that you engaged in non-competitive bidding practices in violation of program rules. For additional guidance regarding the competitive bidding process, please refer to the USAC website at: <http://www.usac.org/sl/applicants/step03/run-open-fair-competition.aspx>.*

*The gift was in the form of a meal at Pig Out BBQ 1 on January 6, 2009 in the amount of \$26.34."*

This letter raises many concerns. The reviewer is basing this pending denial on several inaccuracies. As an example, FRN's 1786841 and 1786824 are continuation requests of a contract that was signed in January of 2008, a full twelve months before this meal was provided. The school district has been a customer of Trillion's since 2006, when Trillion acquired the contract from another company. How could a \$26.34 meal to a non-decision maker influence a Superintendent and the Board of Houston County to make a decision to award a contract for \$348,804 over a three year term, when the contract award occurred a full year prior to the meal?

USAC also seems to be ignoring its own guidance regarding its policy on meal expenses. In a letter from USAC to Trillion dated April 8, 2009, where USAC expresses its concern about meals and other gifts, USAC states that the applicant must comply with "all applicable state

and local procurement laws". We have done that in this instance, as well as all others. We are happy to provide any details on specific state laws if necessary. None of USAC's training materials adequately address these issues, but we have followed any and all guidelines made available.

Trillion is also aware that in the Notice of Proposed Rulemaking dated May 20, 2010, a new rule is being proposed:

*"Service providers may not offer or provide gifts, including meals, to employees or board members of the applicant"*

This proposed rule is based upon 47 C.F.R. §§ 1.3001, 1.3002, which governs the "Acceptance of Unconditional Gifts, Donations and Bequests" currently in place for Executive Branch Employees, not state or local employees. Trillion fully supports the proposed rulemaking. In February of 2009 and 15 months prior to the NOPR, Trillion instituted a "Trillion Code of Conduct" that prohibits Trillion employees from providing gifts of any form to any governmental employee. We believe that all vendors should be held to the same standard to which Trillion has been holding its employees for over a year. However, it is neither legal nor fair to apply this proposed rule to applicants retroactively.

It is our experience that the occasional provision of meals and entertainment is the industry standard practice engaged in by the majority of service providers. Ex post facto application of new rules to Trillion would raise questions re the legitimacy of many other service providers.

In addition to our concern that the law is being misapplied to Trillion, we have learned that a USAC employee told a Trillion customer that it would be better served by canceling the school district's funding request for Trillion services. An excerpt from this letter Trillion had received cancelling our contract to provide services is as follows:

*"In conversations with USAC, we have been informed that these funding requests will be expedited if the request for E-Rate funding for Trillion services is cancelled."*

This letter raises serious concerns about the fairness of the USAC review.

Consistent with USAC's corporate charter to "ensure that schools and libraries have access to affordable telecommunications and information services," this situation needs immediate correction. E-Rate funding for prior years should not be denied to applicants on the basis of retroactive application of proposed rules, misapplication of the facts or unduly burdensome audit practices. We are confident that a rigorous evaluation of the law and the facts will vindicate Trillion. However, time is of the essence. Unless these clear errors are not expeditiously corrected, we expect imminent loss of control of our company and the systems serving 600,000 students and 22,000 administrators and teachers in primarily rural and underserved areas will go dark.


Sincerely,

Trillion Partners, Inc.

## CERTIFICATE OF SERVICE

I, Somchay Chinyavong, hereby certify that a true and correct copy of the foregoing *Request For Review By the Charlotte County School District of Decision of the Universal Service Administrative Company* was mailed postage prepaid this 1<sup>st</sup> day of November 2010 to the following:

Universal Service Administrative Company  
Schools and Libraries Division  
100 South Jefferson Road  
P.O. Box 902  
Whippany, New Jersey 07981

  
Somchay Chinyavong